



PATENT

Case Docket No. NATURES.003C9

Date: March 1, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Peter T. McCarthy  
Appl. No. : 10/712,085  
Filed : November 13, 2003  
For : HIGH EFFICIENCY  
HYDROFOIL AND SWIM FIN  
DESIGNS  
Examiner : Unknown  
Group Art Unit : Unknown

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

March 3, 2004

(Date)

*Mark J. Kertz*

Mark J. Kertz, Reg. No. 43,711

TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

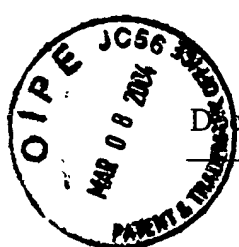
Enclosed for filing in the above-identified application are:

- (X) An Information Disclosure Statement.
- (X) A PTO Form 1449 with 154 references, copies of 40 of which are enclosed.
- (X) Return prepaid postcard.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.

*Mark J. Kertz*

Mark J. Kertz  
Registration No. 43,711  
Attorney of Record  
Customer No. 20,995  
(949) 760-0404

**INFORMATION DISCLOSURE STATEMENT**

Applicant : Peter T. McCarthy  
App. No. : 10/712,085  
Filed : November 13, 2003  
For : HIGH EFFICIENCY HYDROFOIL AND  
SWIM FIN DESIGNS  
Examiner : Unknown  
Group Art Unit : Unknown

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed is form PTO-1449 listing 154 references. Copies of the cited U.S. patents and published U.S. applications are not enclosed, as this application was filed after June 30, 2003. Copies of other cited references are enclosed.

This Information Disclosure Statement is being filed before the receipt of a first Office Action on the merits, and presumably no fee is required in accordance with 37 C.F.R. § 1.97(b)(3). If a first Office Action on the merits was mailed before the mailing date of this Statement, the Commissioner is authorized to charge the fee set forth in 37 C.F.R. § 1.17(p) to Deposit Account No. 11-1410.

RELATED COPENDING APPLICATIONS (COMMONLY OWNED WITH THE PRESENT  
APPLICATION)

<u>Serial No.</u>	<u>Filing Date</u>	<u>Title</u>	<u>Inventors</u>	<u>Attorney Docket No.</u>
10/299,647	11/19/02	HIGH EFFICIENCY HYDROFOIL AND SWIM FIN DESIGNS	McCARTHY	NATURES.003C8
10/035,758	12/28/01	METHODS FOR CREATING CONSISTENT LARGE SCALE	McCARTHY	NATURES.015C2

**Appl. No.** : 10/712,085  
**Filed** : November 13, 2003

**Docket No.** NATURES.003C9  
**Customer No.** 20,995

<u>Serial No.</u>	<u>Filing Date</u>	<u>Title</u>	<u>Inventors</u>	<u>Attorney Docket No.</u>
		BLADE DEFLECTIONS		
10/762,640	1/22/04	METHODS FOR CREATING CONSISTENT LARGE SCALE BLADE DEFLECTIONS	McCARTHY	NATURES.015C3
09/852,155	5/9/01	METHODS FOR CREATING LARGE SCALE FOCUSED BLADE DEFLECTIONS	McCARTHY	NATURES.018A
10/623,187	7/18/03	HIGH DEFLECTION HYDROFOILS AND SWIM FINS	McCARTHY	NATURES.025A

Regarding Serial No. 10/299,647, a copy of its currently-pending claims is enclosed herewith. Its specification and drawings are similar to those of the present application.

Regarding Serial No. 10/035,758, its specification is set forth in publication no. 2003-0092332, listed in the attached form PTO-1449. A copy of the currently-pending claims of Serial No. 10/035,758 is enclosed herewith.

Regarding Serial No. 10/762,640, a copy of its currently-pending claims is enclosed herewith. Its specification and drawings are similar to publication no. 2003-0092332, listed in the attached form PTO-1449.

Regarding Serial No. 09/852,155, its specification is set forth in publication no. 2002/0025744, listed in the attached form PTO-1449. A copy of the currently-pending claims of Serial No. 09/852,155 is enclosed herewith.

Regarding Serial No. 10/623,187, a copy of its specification, drawings and currently-pending claims is enclosed herewith.

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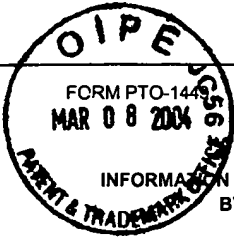
Respectfully submitted,  
KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: March 3, 2004

By: Mark Kertz

Mark J. Kertz  
Registration No. 43,711  
Attorney of Record  
Customer No. 20,995  
(949) 760-0404

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 <p>FORM PTO-1449 MAR 08 2004</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p>(USE SEVERAL SHEETS IF NECESSARY)</p>	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. NATURES.003C9	APPLICATION NO. 10/712,085
	APPLICANT Peter T. McCarthy		
	FILING DATE November 13, 2003	GROUP Unknown	

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
	1	5,384	12/4/1847	R.A. Tilghman			
	2	144,538	11/11,1873	Harsen			
	3	169,396	11/2/1875	O.G. Ahlstrom			
	4	234,305	05/28/25	Bovey			
	5	476,092	12/01/37	Valente			
	6	783,012	02/21/05	Biedermann et al.			
	7	787,291	unknown	Michiels			
	8	871,059	11/12/07	Douse			
	9	998,146	07/18/11	Alfier et al.			
	10	1,061,264	5/13/1913	Bys			
	11	1,324,722	12/11/1917	William Bergin			
	12	1,607,857	5/27/1926	F. Zukal			
	13	1,684,714	08/12/27	Perry			
	14	2,241,305	02/27/39	Hill, Jr.			
	15	2,321,009	9/27/1940	O.P. Churchill			
	16	2,343,468	3/7/1944	Messinger			
	17	2,423,571	07/08/47	Wilen			
	18	2,588,363	03/11/52	Corlieu			
	19	2,850,487	9/2/1958	Gaetano F. D'Alello			
	20	2,865,033	12/23/1958	D.L. Jayet			
	21	2,889,563	6/9/1959	E.W. Lamb, et. al.			
	22	2,903,719	9/15/1959	J.L. Wozencraft			
	23	2,950,487	08/30/60	Woods			
	24	3,019,458	2/6/1962	E. De Barbieri, et. al.			
	25	3,055,025	9/25/1962	L. Ferraro, et. al.			
	26	3,082,442	3/26/1963	Cousteau, et al.			
	27	3,084,355	04/09/63	Ciccotelli			

EXAMINER	DATE CONSIDERED
<p>*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.</p>	

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## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
	28	3,086,492	04/23/63	Holley			
	29	3,109,495	11/5/63	Lang			
	30	3,112,503	12/3/1963	B.B. Girden			
	31	3,171,142	3/2/1965	Auzols			
	32	3,239,857	3/15/1966	Frederick H. Gwynne			
	33	3,256,540	6/21/1966	Novelli			
	34	3,411,165	11/19/68	Murdoch			
	35	3,422,470	01/21/69	Mares			
	36	3,453,981	07/08/69	Gause			
	37	3,491,997	01/27/70	Winters			
	38	3,665,535	5/30/1972	Picken			
	39	3,773,011	11/20/73	Gronier			
	40	3,810,269	5/14/74	Tabata			
	41	3,922,741	12/02/75	Semeia			
	42	3,934,290	01/27/76	Le Vasseur			
	43	3,952,351	04/27/76	Gisbert			
	44	4,007,506	2/15/1977	Rasmussen			
	45	4,025,977	5/31/1977	Cronin			
	46	4,083,071	04/11/78	Forjot			
	47	4,193,371	03/18/80	Baulard-Caugan			
	48	4,197,869	04/15/80	Moncrieff-Yeates			
	49	4,209,866	7/1/1980	Loeffler			
	50	4,342,558	08/03/82	Wilson			
	51	4,521,220	06/04/85	Schoofs			
	52	4,541,810	09/17/85	Wenzel			
	53	4,657,515	4/14/1987	Ciccotelli			
	54	4,689,029	8/25/1987	Ciccotelli			

EXAMINER

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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
	55	4,738,645	04/19/88	Garofalo			
	56	4,752,259	6/21/1988	Tackett, et. al.			
	57	4,773,885	9/27/1988	Ciccotelli			
	58	4,775,343	10/4/1988	Lamont, et. al.			
	59	4,781,637	11/01/88	Caires			
	60	4,820,218	04/11/89	Van de Pol			
	61	4,857,024	08/15/89	Evans			
	62	4,869,696	9/26/1989	Ciccotelli			
	63	4,895,537	1/23/1990	Ciccotelli			
	64	4,929,206	5/29/1990	Evans			
	65	4,934,971	06/19/90	Picken			
	66	4,940,437	07/10/90	Piatt			
	67	4,944,703	07/31/90	Mosier			
	68	4,954,111	09/04/90	Cressi			
	69	4,954,112	09/04/90	Negrini et al.			
	70	5,163,859	11/17/92	Beltrani, et al.			
	71	5,304,081	4/19/1994	Takizawa			
	72	5,324,219	06/28/94	Beltrani et al.			
	73	5,356,323	10/18/94	Evans			
	74	5,358,439	10/25/94	Paolo			
	75	5,374,210	12/20/94	Sardella			
	76	5,387,145	2/7/1995	Wagner			
	77	5,417,599	05/23/95	Evans			
	78	5,429,536	7/4/1995	Evans			
	79	5,435,764	7/25/1995	Testa, et. al.			
	80	5,443,593	8/22/1995	Garofalo			
	81	5,522,748	6/4/1996	Cressi			

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	82	5,527,197	6/18/1996	Evans			
	83	5,533,918	7/9/1996	Sanders			
	84	5,595,518	1/21/1997	Ours			
	85	5,597,336	1/28/1997	Evans			
	86	5,634,613	6/3/97	McCarthy			
	87	5,746,631	5/5/1998	McCarthy			
	88	5,810,629	9/22/1998	Parr			
	89	6,050,868	4/18/00	McCarthy			
	90	6,053,788	4/25/00	Garofalo			
	91	6,095,879	8/2000	McCarthy			
	92	6,126,503	10/3/00	Viale, et al.			
	93	6,146,224	11/14/00	McCarthy			
	94	6,290,561 B1	9/18/01	Garofalo et al.			
	95	6,364,728 B1	4/2/02	Viale et al.			
	96	6,371,821	4/16/02	McCarthy			
	97	6,413,133 B1	7/2/02	McCarthy			
	98	6,482,059 B2	11/19/02	McCarthy			
	99	6,497,597	12/24/02	McCarthy			
	100	6,585,548	7/1/03	McCarthy			
	101	6,607,411	8/19/03	McCarthy			
	102	Des. 278,165	3/26/1985	Evans			
	103	Des. 302,999	8/22/1989	McCredie			
	104	Des. 327,933	7/14/1992	Evans			
	105	Des. 327,934	7/14/1992	Evans			
	106	Des. 327,935	7/14/1992	Evans			
	107	Des. 328,118	7/21/1992	Evans			
	108	Des. 340,272	10/12/1993	Evans			

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## U.S. PATENT DOCUMENTS

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	109	Des. 353,181	12/6/1994	Evans			
	110	Des. 393,684	4/21/1998	Lin			
	111	Des. 396,897	8/11/1998	Evans			
	112	Des. 404,456	1/19/1999	Evans			
	113	2003/0092332 A1	5/15/03	McCarthy			12/28/01
	114	2002/0025744 A1	2/28/02	McCarthy			5/9/01

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	115	1501208	Nov 1967	France				
	116	DD 259 353 A	08/24/88	Germany				
	117	FR 2574 748 A	06/20/86	France				
	118	JP 62 134395	06/17/87	Japan				
	119	SU 1323 463 A	03/13/86	Soviet Union				
	120	0 308 998	03/29/89	Europe				
	121	DE 3438808	04/24/86	Germany				
	122	2 058 941	1971	France				
	123	2 213 072	1974	France				
	124	625377	09/19/61	ITALY (with Certified Translation)			X	
	125	1.245.395	9/26/60	FRANCE (with Certified Translation)			X	
	126	17,033	1890	England				
	127	787,291	1935	France				
	128	553307	1956	Italy				
	129	61-6097	1986	Japan				
	130	1,075 997	1960	Germany (with Certified Translation)			X	
	131	1284765	1972	Great Britain				

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FOREIGN PATENT DOCUMENTS								
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	132	2 543 841	1983	France (with certified translation)			X	
	133	234305	5/28/1925	Great Britain				
	134	2,490,498	3/26/82	France				
	135	1,208,636	1959	France				

EXAMINER INITIAL	OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)	
	136	Rossier, Robert N., entitled, "Moving Forward - Getting your best kick in the water can come from a combination of design, efficiency and hydrodynamics in fins". ALERT DIVER, Nov-Dec 1997, pages 26 - 28.
	137	Triantafyllou, Michael S. and Triantafyllou George S., entitled, "An Efficient Swimming Machine". SCIENTIFIC AMERICAN, March 1995, pages 64-70.
	138	"3302 of 1880" (Picture From Book-Found in US PTO)
	139	"Test Dive" Article in Jan/Feb 1996 issue of <i>Sport Diver Magazine</i>
	140	"Oceanic V-Drive Fins" in May/Jun. 1996 Issue of <i>Sport Diver Magazine</i>
	141	Walton and Katz "Application of Leading-Edge Vortex Manipulations to Reduce Wing Rock Amplitudes" <i>Journal of Aircraft</i> Vol. 30, No. 4, pp. 555-559
	142	Traub and Nurick "Effects of Wing-Tip Vortex Flaps" <i>Journal of Aircraft</i> Vol. 30, No. 4, pp. 557-559
	143	Grantz and Marchman III "Trailing Edge Flap Influence on Leading Edge Vortex Flap Aerodynamics", <i>Journal of Aircraft</i> Vol. 20, No. 2, pp. 165-169
	144	Rao "An Exploratory Study of Area-Efficient Vortex Flap Concepts" <i>Journal of Aircraft</i> , Vol. 20, No. 12, pp. 1062-1067
	145	Lamar and Campbell "Vortex Flaps-Advanced Control Devices for Supercruise Fighters" Jan. 1984, <i>Aerospace America</i> .
	146	"BZ" bodysurfing fin (Picture), 1 <sup>st</sup> production in 1990
	147	"Blade Pro" bodysurfing fin (Picture), 1 <sup>st</sup> production 1991
	148	"Wave Rebel" bodysurfing fin (Picture), 1 <sup>st</sup> production 1994
	149	Art. 1400 Pinna "Professional" Fin (1989)
	150	USPTO Serial No.: 10/299,647; Filed 11/19/02 – Inventor Peter T. McCarthy
	151	USPTO Serial No.: 10/035,758; Filed 12/28/01 – Inventor Peter T. McCarthy
	152	USPTO Serial No.: 10/762,640; Filed 1/22/04 – Inventor Peter T. McCarthy
	153	USPTO Serial No.: 09/852,155; Filed 5/9/01 – Inventor Peter T. McCarthy
	154	USPTO Serial No.: 10/623,187; Filed 7/18/03 – Inventor Peter T. McCarthy

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